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ROSENBERG, KLEIN & LEE
3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY MD 21043

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OFFICE OF PETITIONS

In re Application of	:	
Chih-Chen Chang et al.	:	
Application No. 10/060,776	:	DECISION ON PETITION
Filed: February 1, 2002	:	UNDER 37 C.F.R. §1.181
Attorney Docket No.: MR2381-85	:	
Title: CHRISTMAS TREE STRUCTURE	:	
OF DECORATING LAMP	:	

This is a decision on the petition filed November 3, 2004, pursuant to 37 C.F.R. §1.181, requesting that the holding of abandonment in the above-identified application be withdrawn.

The Office regrets the period of delay in issuing this decision.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed January 31, 2003, which set a shortened statutory period for reply of three months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on May 2, 2003. A notice of abandonment was mailed on August 8, 2003.

With the present petition, Petitioner's representative has asserted that a response was submitted on July 29, 2003, along with a three-month extension of time to make timely the

response. Petitioner's representative has further submitted a postcard receipt (which contains a date stamp from the Office of Initial Patent Examination dated July 31, 2003) and a copy of this submission (which contains a certificate of mailing dated July 29, 2003).

Moreover, the electronic file has been reviewed, and a copy of this response has been located in the same.

Petitioner's representative has requested that the holding of abandonment in the above-identified application be withdrawn. It is clear that a response was timely received on July 31, 2003. Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that Petitioner's representative has met his burden of establishing that a submission was timely submitted.

Accordingly, the petition under 37 C.F.R. §1.181(a) is **GRANTED**. The holding of abandonment is **WITHDRAWN**.

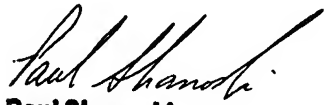
The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the amendment that was received on July 31, 2003 can be processed.

It is noted that the address listed on the petition differs from the address of record. The application file does not indicate a change of correspondence address has been filed in this case, although the address given on the petition differs from the address of record. If Petitioner's representative desires to receive future correspondence regarding this application, the change of correspondence address must be submitted.

A courtesy copy of this decision will be mailed to Petitioner's representative. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary.

Petitioner's representative will not receive future correspondence related to this application unless Change of Correspondence Address, Patent Form (PTO/SB/122) is submitted for the above-identified application. For Petitioner's convenience, a blank Change of Correspondence Address, Patent Form (PTO/SB/122), may be found at <http://www.uspto.gov/web/forms/sb0122.pdf>.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225¹. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

cc: Charles Baxley
90 John Street - Third Floor
New York, NY 10038

¹ Petitioner's representative will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. §1.2. As such, Petitioner's representative is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner's representative.